

**Indiana Professional Licensing Agency**  
**Indiana Board of Veterinary Medical Examiners**  
**2005 Edition**

**Veterinary Statute**  
(IC 15-5)

**Veterinary Rules**  
(Title 888)

**Health Professions Standards of Practice**  
(IC 25-1-9)

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## **ARTICLE 5.**

### **Indiana Board of Veterinary Medical Examiners**

This is an **UNOFFICIAL** version of the Indiana Board of Veterinary Medical Examiners statute prepared by the Indiana Professional Licensing Agency 10/2005

#### **Chapter 1. Repealed**

*(Repealed by Acts 1979; P.L.146, SEC.2.)*

#### **Chapter 1.1 Indiana Veterinary Practice**

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#### **IC 15-5-1.1-1 Preamble**

Sec. 1. Preamble. This chapter is an exercise of the police powers of the state to promote the public health, safety, and welfare of the people of this state to safeguard against the incompetent, dishonest, or unprincipled practitioner of veterinary medicine. It is hereby declared that the practice of veterinary medicine is a privilege conferred by legislative grant to persons possessed of the personal and professional qualifications specified in this chapter.

*As added by Acts 1979, P.L.146, SEC.1.*

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### IC 15-5-1.1-2 Definitions

Sec. 2. As used in this chapter:

**"Accredited college of veterinary medicine"** means a veterinary college or division of a university or college that:

- (1) offers the degree doctor of veterinary medicine or its equivalent;
- (2) conforms to the standards required for accreditation by the American Veterinary Medical Association; and
- (3) is accredited by the American Veterinary Medical Association or an accrediting agency that has been approved by the United States Department of Education or its successor.

**"Animal"** means any animal other than man and includes birds, fish, mammals, and reptiles, wild or domestic.

**"Approved program"** means a program in veterinary technology that:

- (1) conforms to the standards required for accreditation by the American Veterinary Medical Association; and
- (2) is accredited by the American Veterinary Medical Association or an accrediting agency that has been approved by the United States Department of Education or its successor.

**"Board"** means the Indiana board of veterinary medical examiners created by this chapter.

**"Bureau"** refers to the health professions bureau established by IC 25-1-5-3.

**"ECFVG certificate"** means a certificate issued by the American Veterinary Medical Association Educational Commission for Foreign Veterinary Graduates, indicating that the holder has demonstrated knowledge and skill equivalent to that possessed by a graduate of an accredited college of veterinary medicine.

**"Extern"** means a senior veterinary student enrolled in an accredited college of veterinary medicine, or a second year student enrolled in an approved program in veterinary technology, employed by or working with a licensed veterinarian and under his direct supervision.

**"Licensed veterinarian"** means an individual who is licensed pursuant to this chapter to practice veterinary medicine in this state.

**"Person"** means an individual, an incorporated or unincorporated organization or association or a group of such persons acting in concert.

**"Practice of veterinary medicine"** means:

- (1) representing oneself as engaged in the practice of veterinary medicine, veterinary surgery, or veterinary dentistry in any of its branches or using words, letters, or titles in a connection or under circumstances that may induce another person to believe that the person using them is engaged in the practice of veterinary medicine, veterinary surgery, or veterinary dentistry;
- (2) accepting remuneration for doing any of the things described in subdivisions (3) through (6);
- (3) diagnosing a specific disease or injury, or identifying and describing a disease process of animals, or performing any procedure for the diagnosis of pregnancy, sterility, or infertility upon animals;
- (4) prescribing a drug, medicine, appliance or application, or treatment of whatever nature for the prevention, cure, or relief of bodily injury or disease of animals;
- (5) performing a surgical or dental operation upon an animal; or
- (6) administering a drug, medicine, appliance, application, or treatment of whatever nature for the prevention, cure, or relief of a wound, fracture, or bodily injury or disease of animals, except where such drug, medicine, appliance, application, or treatment is administered at the direction and under the direct supervision of a veterinarian licensed under this chapter.

**"Registered veterinary technician"** means a veterinary technician registered pursuant to this chapter to work under the direct supervision of a licensed veterinarian.

**"Veterinarian"** means an individual who was a licensed veterinarian on August 31, 1979, or who has received a professional degree from an accredited college of veterinary medicine.

**"Veterinary medicine"** includes veterinary surgery, obstetrics, dentistry, acupuncture, and all other branches or specialties of veterinary medicine.

**"Veterinary technician"** means an individual who has successfully completed a program in veterinary technology of at least two (2) years in a school that conforms to the standards required for accreditation by the American Veterinary Medical Association and that is accredited by the American Veterinary Medical Association.

*As added by Acts 1979, P.L. 146, SEC.1. Amended by Acts 1982, P.L.113, SEC.1; P.L. 169-1985, SEC.1; P.L.71-2000, SEC.1.*

### IC 15-5-1.1-3 Board of veterinary medical examiners

Sec. 3. (a) The Indiana board of veterinary medical examiners is created.

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(b) The board shall consist of six (6) members appointed by the governor from the districts described in this chapter. One (1) of the members shall be appointed to represent the general public. Not more than one (1) veterinarian member may be domiciled in the same district and not more than four (4) members may be affiliated with the same political party. In the event of a vacancy, the governor shall appoint a successor to complete the unexpired term.

(c) The term of each member of the board is four (4) years beginning on September 1 of the appropriate year. Each member shall serve until his successor is appointed and qualified. Members of the board may be appointed for more than one (1) term, but no person may be a member of the board for more than eight (8) years out of any twelve (12) year period.

(d) The terms of the board members expire as follows:

- (1) The term of the member from the first district expires on August 31, 1980, and every four (4) years thereafter.
- (2) The term of the member from the second district expires on August 31, 1981, and every four (4) years thereafter.
- (3) The term of the member from the third district expires on August 31, 1982, and every four (4) years thereafter.
- (4) The term of the member from the fourth district expires on August 31, 1983, and every four (4) years thereafter.
- (5) The term of the member from the fifth district expires on August 31, 1980, and every four (4) years thereafter.
- (6) The term of the member appointed to represent the general public expires on August 31, 1985, and every four (4) years thereafter.

*As added by Acts 1979, P.L. 146, SEC. 1. Amended by Acts 1981, P.L. 222, SEC. 9; P.L. 169-1985, SEC. 2.*

#### **IC 15-5-1.1-4 Description of districts**

Sec. 4. Description of Districts.

District 1 is composed of the following counties: Clay, Crawford, Daviess, Dubois, Fountain, Gibson, Greene, Knox, Lawrence, Martin, Monroe, Montgomery, Morgan, Orange, Owen, Parke, Perry, Pike, Posey, Putnam, Spencer, Sullivan, Tippecanoe, Vanderburgh, Vermillion, Vigo, Warren, and Warrick.

District 2 is composed of the following counties: Bartholomew, Brown, Clark, Dearborn, Decatur, Delaware, Fayette, Floyd, Franklin, Hancock, Harrison, Henry, Jackson, Jefferson, Jennings, Johnson, Madison, Ohio, Randolph, Ripley, Rush, Scott, Shelby, Switzerland, Union, Washington, and Wayne.

District 3 is composed of the following counties: Boone, Clinton, Hamilton, Hendricks, Howard, Marion, and Tipton.

District 4 is composed of the following counties: Lake, LaPorte, Marshall, Porter, St. Joseph, and Starke.

District 5 is composed of the following counties: Adams, Allen, Benton, Blackford, Carroll, Cass, DeKalb, Elkhart, Fulton, Grant, Huntington, Jasper, Jay, Kosciusko, LaGrange, Miami, Newton, Noble, Pulaski, Steuben, Wabash, Wells, White, and Whitley.

*As added by Acts 1979, P.L. 146, SEC. 1.*

#### **IC 15-5-1.1-5 Eligibility of board members**

Sec. 5. Eligibility of Board Members. (a) Each member of the board must have been a resident of the state for at least five (5) years continuously prior to his appointment and must have been a licensed veterinarian in the private practice of veterinary medicine in the state for at least three (3) of those years.

(b) Each member of the board must be a graduate of a school or college of veterinary medicine generally recognized as approved, according to the prevailing standard for such recognition at the time of his graduation.

(c) Each member of the board must be a person of good reputation within the profession and within the community in which he resides.

(d) No member of the board may be an officer, director, or employee in any manufacturing, wholesaling or retail enterprise dealing in drugs, supplies, instruments, or equipment used or useful in the practice of veterinary medicine which might constitute or tend to create a conflict of interest between his business association and membership on the board.

(e) No member of the board may be a member of the faculty, board of trustees, or advisory board of a school of veterinary medicine or school of veterinary technology.

(f) Notwithstanding the other provisions of this section, one (1) member of the board, appointed to represent the general public, must be a resident of this state who has never been associated with veterinary medicine in any way other than as a consumer.

*As added by Acts 1979, P.L. 146, SEC. 1. Amended by Acts 1981, P.L. 222, SEC. 10.*

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#### **IC 15-5-1.1-6 Meetings**

Sec. 6. (a) The board shall hold an annual meeting in Indianapolis and other regular meetings during each year and at such places as it may fix.

(b) The board may hold such special meetings as it deems necessary. The chairman or two (2) members of the board may call a special meeting.

(c) Four (4) members of the board constitute a quorum.

(d) All meetings shall be open and public except that the board may meet in closed session to prepare, approve, administer, or grade examinations, or to deliberate the qualifications of an applicant for license or registration or the disposition of a proceeding to discipline a licensed veterinarian or registered veterinary technician.

(e) Minutes of each regular and special meeting shall be compiled and kept as a permanent record in the same office as other records of the board are kept. The responsibility for the care and safekeeping of such minutes shall devolve upon the bureau.

(f) Each member of the board is entitled to reimbursement for traveling and other expenses as provided in the state travel policies and procedures established by the department of administration and approved by the state budget agency.

*As added by Acts 1979, P.L. 146, SEC. 1. Amended by Acts 1982, P.L. 113, SEC. 2; P.L. 169-1985, SEC. 3.*

#### **IC 15-5-1.1-7 Officers; duties of bureau**

Sec. 7. (a) At its annual meeting the board shall elect a chairman and vice chairman and such other officers as it may determine. Such officers shall serve for terms of one (1) year or until a successor is elected. There is no limitation on the number of terms an officer may serve.

(b) The state veterinarian shall be the technical advisor of the board.

(c) The duties of the bureau include:

- (1) corresponding for the board;
- (2) keeping accounts and records of all receipts and disbursements by the board;
- (3) keeping records of all applications for license or registration;
- (4) keeping a register of all persons currently licensed or registered by the board; and
- (5) keeping permanent records of all board proceedings.

*As added by Acts 1979, P.L. 146, SEC. 1. Amended by Acts 1982, P.L. 113, SEC. 3; P.L. 169-1985, SEC. 4; P.L. 149-1987, SEC. 2.*

#### **IC 15-5-1.1-8 Powers**

Sec. 8. (a) The powers enumerated in this section are granted for the purpose of enabling the board to effectively supervise the practice of veterinary medicine and are to be construed liberally to accomplish this objective.

(b) The board is vested with the sole authority to determine the qualifications of applicants for:

- (1) a license to practice veterinary medicine in this state; and
- (2) registration to practice as a veterinary technician in this state.

(c) The board is vested with the sole authority to issue, renew, deny, suspend, or revoke:

- (1) licenses and special permits to practice veterinary medicine in this state; and
- (2) registrations or special permits to practice as a veterinary technician in this state.

(d) The board is vested with sole authority to discipline licensed veterinarians and registered veterinary technicians consistent with the provisions of this chapter and the rules adopted thereunder.

(e) The board is vested with the sole authority to determine the following:

- (1) The examinations applicants are required to take.
- (2) The subjects to be covered.
- (3) The places where and the dates on which examinations will be given.
- (4) The deadlines for applying to take the examinations.

(f) The board may establish by rule minimum standards of continuing education for the renewal of licenses to practice veterinary medicine and for the renewal of registrations as a veterinary technician. The rules adopted under this subsection must comply with IC 25-1-4-3.

(g) The board shall adopt by rule standards of professional conduct for the competent practice of veterinary medicine and the competent practice of a veterinary technician.

(h) Subject to IC 25-1-7, the board may conduct investigations for the purpose of discovering violations of this chapter:

- (1) by licensed veterinarians or registered veterinary technicians; or
- (2) by persons practicing veterinary medicine without a license or persons practicing as a registered

veterinary technician without being registered.

(i) The board may inspect, without notice and during normal working hours, veterinary hospitals, clinics, or other establishments to determine if such places meet the board's standards of cleanliness and sanitation as defined by the board's rules.

(j) The board may hold hearings on all matters properly brought before it and in connection thereto may administer oaths, receive evidence, make findings, and enter orders consistent with the findings. The board may require by subpoena the attendance and testimony of witnesses and the production of papers, records, or other documentary evidence and commission depositions. The board may designate one (1) or more of its members to serve as its hearing officer.

(k) The board may bring proceedings in the courts for the enforcement of this chapter or any rules made pursuant thereto.

(l) The board shall have fees collected for examining and licensing veterinarians and for examining and registering veterinary technicians.

(m) The board may enter into reciprocal agreements with its counterpart boards in other states and may effect such agreements by rule.

(n) The board may appoint from its own membership one (1) or more members to act as representatives of the board at any meeting within or without the state where such representation is deemed desirable.

(o) The bureau shall provide the board with full or part-time professional and clerical personnel and supplies including printed matter and equipment necessary to effectuate the provisions of this chapter.

(p) The board may, in the manner prescribed by IC 4-22-2, adopt such reasonable rules as it deems necessary for the performance of its duties, consistent with this chapter and other applicable laws of this state. Any rule adopted under, and applicable to, the prior veterinarian and veterinary technician licensing and registration laws

(IC 15-5-1 and IC 15-5-1.5) continues in effect under this chapter until rescinded or amended by the board.

(q) The board may adopt an appropriate seal which may be affixed to all license and registration certificates and other official documents of the board.

*As added by Acts 1979, P.L. 146, SEC. 1. Amended by Acts 1981, P.L. 222, SEC. 11; P.L. 169-1985, SEC. 5; P.L. 71-2000, SEC. 2; P.L. 269-2001, SEC. 1.*

#### **IC 15-5-1.1-9 License, permit, and registration requirements; exceptions**

Sec. 9. A person may not practice veterinary medicine in Indiana unless the person is licensed as a veterinarian in Indiana or holds a special permit issued by the board, and a person may not act as a veterinary technician in Indiana unless the person is registered as a veterinary technician in Indiana or holds a special permit issued by the board. The following persons are not required to meet the licensing, registration, or special permit requirements under this chapter:

- (1) A veterinarian on the faculty of the School of Veterinary Medicine at Purdue University performing regular duties, or a veterinarian employed by the animal disease diagnostic laboratory performing regular duties.
- (2) A veterinarian employed by a federal, state, or local government agency performing official duties.
- (3) An individual who is a regular student in an accredited college of veterinary medicine or veterinary technology performing duties or actions assigned by instructors or working under the direct supervision of a licensed veterinarian.
- (4) An extern.
- (5) A veterinarian licensed and resident in another state or nation who occasionally consults with a licensed veterinarian.
- (6) The owner of an animal or a regular employee of the owner caring for and treating that animal, except where the ownership of the animal was transferred for purposes of circumventing this chapter.
- (7) A guest lecturing or giving instructions or demonstrations at the School of Veterinary Medicine at Purdue University, or elsewhere, in connection with a continuing education program.
- (8) An individual while engaged in bona fide scientific research which reasonably requires experimentation involving animals.
- (9) A graduate of a foreign college of veterinary medicine who is in the process of obtaining an ECFVG certificate and who is under the direct supervision of a licensed veterinarian.
- (10) A veterinarian who is enrolled in a postgraduate instructional program in an accredited college of veterinary medicine, performing duties or actions assigned by instructors or working under the direct supervision of a licensed veterinarian.

*As added by Acts 1979, P.L. 146, SEC. 1. Amended by P.L. 71-2000, SEC. 3.*

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**IC 15-5-1.1-10 Requirements for license as veterinarian**

Sec. 10. To become a licensed veterinarian a person must:

- (1) not have a conviction for a crime that has a direct bearing on his ability to practice competently;
- (2) pay the fees required under this chapter;
- (3) have successfully completed a program in veterinary medicine from an accredited college of veterinary medicine; and
- (4) have successfully completed the examinations provided under section 12 of this chapter or qualify for a license without examination under section 13 of this chapter.

However, a person who was licensed as a veterinarian in Indiana on August 31, 1979, is not required to meet the requirements of subdivision (3) or (4).

*As added by Acts 1979, P.L. 146, SEC.1. Amended by Acts 1981, P.L.222, SEC.12; Acts 1982, P.L. 113, SEC.4; P.L.169-1985, SEC.6; P.L.149-1987, SEC.3.*

**IC 15-5-1.1-10.1 Repealed**

*(Repealed by P.L.33-1993, SEC.74.)*

**IC 15-5-1.1-11 Application for license to practice veterinary medicine**

Sec. 11. (a) As used in this subsection, "term" refers to an academic semester, trimester, or quarter. A person desiring a license to practice veterinary medicine in this state shall make written application to the board. The application shall state that the applicant is:

- (1) a graduate of an accredited college of veterinary medicine; or
- (2) enrolled in the last term of the last year of the veterinary medical curriculum of an accredited school of veterinary medicine.

If the applicant is enrolled as a last term student as described in subdivision (2), a letter from the dean of the student's veterinary school confirming that the applicant is a last term student, attesting to the satisfactory academic standing of the student, and stating the date on which the degree is expected to be conferred upon the student must accompany the application. A license to practice veterinary medicine in Indiana may not be issued until satisfactory proof has been furnished to the board either that the applicant has graduated from an accredited college of veterinary medicine or that the applicant is the holder of an Educational Commission for Foreign Veterinary Graduates (ECFVG) certificate. The application must show such reasonable information and proof as the board may require by rule. The application must be accompanied by the fee in the amount required under this chapter.

(b) When the board determines that the applicant possesses the proper qualifications, the board may grant the applicant a license. If an applicant is found not to be qualified to take the examination or for a license without examination, the executive secretary of the board shall immediately notify the applicant in writing of such finding and the grounds therefore. Applicants found unqualified may request a hearing on the question of their qualifications.

*As added by Acts 1979, P.L. 146, SEC.1. Amended by Acts 1981, P.L.222, SEC.13; P.L.169-1985, SEC.7; P.L.33-1993, SEC.2; P.L.71-2000, SEC.4.*

**IC 15-5-1.1-12 Examinations**

Sec. 12. (a) The board shall hold at least one (1) examination for licensing veterinarians and one (1) examination for registering veterinary technicians each year but it may hold more. The bureau shall give notice of the time and place for each examination at least ninety (90) days in advance of the date set for the examination. A person desiring to take an examination must make application not later than the time the board may prescribe under section 8(e) of this chapter.

(b) The preparation, administration, and grading of examinations shall be approved by the board. Examinations shall be designed to test the examinee's knowledge of and proficiency in the subjects and techniques commonly taught in veterinary schools. To pass the examination, the examinee must demonstrate scientific and practical knowledge sufficient to prove to the board that the examinee is competent to practice veterinary medicine or to act as a veterinary technician, as the case may be. The board may adopt and use examinations approved by the National Board Examination Committee.

(c) To qualify for a license as a veterinarian or to be registered as a veterinary technician, the applicant must attain a passing score in the examinations.

(d) After the examinations, the bureau shall notify each examinee of the result of the examinee's examinations and the board shall issue a license or registration certificate, as appropriate, to each individual who successfully completes the examinations and is otherwise qualified. The bureau shall keep a permanent record of the issuance of each license or registration certificate.

(e) An individual who fails to pass the required examinations may apply to take a subsequent

examination. However, payment of the examination fee shall not be waived.

(f) A license or registration certificate issued under this article is valid for the remainder of the renewal period in effect on the date of issuance.

*As added by Acts 1979, P.L. 146, SEC. 1. Amended by Acts 1981, P.L. 162, SEC. 1; P.L. 169-1985, SEC. 8; P.L. 149-1987, SEC. 5; P.L. 48-1991, SEC. 2; P.L. 33-1993, SEC. 3; P.L. 71-2000, SEC. 5.*

#### **IC 15-5-1.1-13 License without examination**

Sec. 13. The board may issue a license without an examination to a qualified applicant who:

- (1) furnishes satisfactory proof that the applicant is a graduate of an accredited college of veterinary medicine or holds an Educational Commission for Foreign Veterinary Graduates (ECFVG) certificate;
- (2) for the five (5) years immediately preceding filing an application has been a practicing veterinarian licensed in a state, territory, or district of the United States having license requirements which are substantially equivalent to the requirements of this chapter; and
- (3) otherwise meets the requirements of this chapter.

*As added by Acts 1979, P.L. 146, SEC. 1. Amended by Acts 1981, P.L. 162, SEC. 2; P.L. 169-1985, SEC. 9; P.L. 149-1987, SEC. 6; P.L. 48-1991, SEC. 3; P.L. 33-1993, SEC. 4.*

#### **IC 15-5-1.1-14 Repealed**

*(Repealed by P.L. 33-1993, SEC. 74.)*

#### **IC 15-5-1.1-15 Veterinary technician; requirements for registration**

Sec. 15. To become a registered veterinary technician, a person must:

- (1) not have a conviction for a crime that has a direct bearing on the person's ability to practice competently;
- (2) pay the fees required under this chapter in an amount established by the board by rule;
- (3) have attained the age of eighteen (18) years;
- (4) have successfully completed four (4) years of high school education or an acceptable equivalent;
- (5) have either successfully completed an approved program of veterinary technology or have been a registered veterinary technician on August 31, 1981; and
- (6) show that the person has the necessary knowledge and skills to be a registered veterinary technician, demonstrated by successfully passing the required examinations.

*As added by Acts 1979, P.L. 146, SEC. 1. Amended by Acts 1981, P.L. 222, SEC. 14; Acts 1982, P.L. 113, SEC. 5; P.L. 169-1985, SEC. 10; P.L. 149-1987, SEC. 7; P.L. 33-1993, SEC. 5.*

#### **IC 15-5-1.1-15.1 Veterinary technicians; refusal to issue registration; issuance of probationary registration; conditions**

Sec. 15.1. (a) The board may refuse to issue a registration or may issue a probationary registration to an applicant for registration as a veterinary technician under this chapter if:

- (1) the applicant has been disciplined by a licensing entity of another state or jurisdiction; and
- (2) the violation for which the applicant was disciplined has a direct bearing on the applicant's ability to competently practice as a veterinary technician in Indiana.

(b) Whenever issuing a probationary registration under this section, the board may impose any or a combination of the following conditions:

- (1) Report regularly to the board upon the matters that are the basis of the discipline of the other state or jurisdiction.
- (2) Limit practice to those areas prescribed by the board.
- (3) Continue or renew professional education.
- (4) Engage in community restitution or service without compensation for a number of hours specified by the board.

(c) The board shall remove any limitations placed on a probationary registration issued under this section if the board finds after a hearing that the deficiency that required disciplinary action has been remedied.

(d) This section does not apply to an individual who currently holds a registration certificate under this chapter.

*As added by P.L. 149-1987, SEC. 8. Amended by P.L. 32-2000, SEC. 9.*

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**IC 15-5-1.1-15.4 Registration without examination**

Sec. 15.4. The board may issue a registration without an examination to a qualified applicant who:

- (1) furnishes satisfactory proof that the applicant has successfully completed an approved program of veterinary technology;
- (2) for the five (5) years immediately preceding filing an application has been acting as a registered veterinary technician in a state, territory, or district of the United States having registration requirements which are substantially equivalent to the requirements of this chapter; and
- (3) otherwise meets the requirements of this chapter.

*As added by Acts 1981, P.L.162, SEC.3. Amended by P.L. 169-1985, SEC. 11; P.L. 149-1987, SEC.9; P.L.48-1991, SEC.5; P.L.33-1993, SEC.6.*

**IC 15-5-1.1-15.6 Repealed**

*(Repealed by P.L.33-1993, SEC.74.)*

**IC 15-5-1.1-16 Veterinary technician; application for registration**

Sec. 16. An applicant for registration as a registered veterinary technician shall complete an application form prescribed by the board. Each application shall be accompanied by the required registration fee and such other material as the board may require by rule. Each applicant shall furnish proof to the board that the applicant meets the requirements of a registered veterinary technician provided in this chapter.

*As added by Acts 1979, P.L.146, SEC.1. Amended by P.L.33-1993, SEC.7.*

**IC 15-5-1.1-17 License renewal**

Sec. 17. (a) A license issued under this chapter is valid until the next renewal date described under subsection (b).

(b) All licenses expire on October 15 in each odd-numbered year, but may be renewed by application to the board and payment of the proper renewal fee. In accordance with IC 25-1-5-4(c), the bureau shall mail a sixty (60) day notice of expiration to each licensed veterinarian and provide the veterinarian with a form for renewal. The bureau shall issue a license renewal to each individual licensed under this chapter if the proper fee has been received and all other requirements for renewal of the license have been satisfied. Failure to renew a license on or before the expiration date automatically renders the license invalid without any action by the board.

*As added by Acts 1979, P.L.146, SEC.1. Amended by P.L. 169-1985, SEC.12; P.L. 149-1987, SEC.10; P.L.48-1991, SEC.7.*

**IC 15-5-1.1-18 Registration certificate renewal**

Sec. 18. (a) A registration certificate issued under this chapter is valid until the next renewal date described under subsection (b).

(b) All registration certificates expire on January 1 of each even-numbered year, but may be renewed by application to the board and payment of the proper renewal fee. In accordance with IC 25-1-5-4(c), the bureau shall mail a sixty (60) day notice of expiration to each registered veterinary technician and provide the veterinary technician with a form for renewal. The bureau shall issue a registration certificate renewal to each individual registered under this chapter, provided the proper fee has been received and all other requirements for renewal of the registration certificate have been satisfied. Failure to renew a registration certificate on or before the expiration date automatically renders the license invalid without any action by the board.

*As added by Acts 1979, P.L.146, SEC.1. Amended by P.L. 169-1985, SEC.13; P.L. 149-1987, SEC.11; P.L.3-1990, SEC.60; P.L.48-1991, SEC.8.*

**IC 15-5-1.1-19 License or registration expiration; violation; renewal; inactive status**

Sec. 19. (a) An individual who practices veterinary medicine after the individual's license has expired, been revoked, or been placed on inactive status or an individual who acts as a registered veterinary technician after the individual's registration has expired, been revoked, or been placed on inactive status is in violation of this chapter.

(b) A veterinarian may renew an expired license or a veterinary technician may renew an expired registration certificate within five (5) years of the date of expiration by making written application for renewal and paying the fee established by rules as provided in section 20.2 of this chapter. After five (5) years have

elapsed since the date of the expiration of a license or a registration certificate it may not be renewed, but the person may make application for a new license or registration certificate and take the appropriate examinations.

(c) To have a license or registration placed on inactive status, a licensed veterinarian or registered veterinary technician must notify the board in writing of the veterinarian's or technician's desire to have the license or registration placed on inactive status. The board shall waive the continuing education requirements, if any, and payment of the renewal fee during the period the board places the license or registration of a veterinarian or technician on inactive status. A license or registration may be placed on inactive status during the period:

- (1) the veterinarian or technician is on active duty with any branch of the armed services of the United States;
- (2) the veterinarian or technician is in the Peace Corps;
- (3) the veterinarian or technician is in an alternative service during a time of national emergency;
- (4) the veterinarian or technician is suffering from a severe medical condition that would prevent the veterinarian or technician from meeting the requirements of the board; or
- (5) after the veterinarian or technician retires.

A veterinarian or technician who is retired and on inactive status may not maintain an office or otherwise practice veterinary medicine. The board may adopt rules under IC 4-22-2 that establish prerequisites or conditions for the reactivation of an inactive license or registration.

*As added by Acts 1979, P.L. 146, SEC. 1. Amended by P.L. 71-2000, SEC. 6.*

#### **IC 15-5-1.1-20 Repealed**

*(Repealed by P.L. 169-1985, SEC. 97.)*

#### **IC 15-5-1.1-20.1 Repealed**

*(Repealed by P.L. 169-1985, SEC. 97.)*

#### **IC 15-5-1.1-20.2 Fees**

Sec. 20.2. The board shall establish by rule under IC 25-1-8 fees sufficient to implement this chapter. The fees established under this section shall be charged and collected by the bureau.

*As added by P.L. 169-1985, SEC. 14.*

#### **IC 15-5-1.1-21 Repealed**

*(Repealed by P.L. 169-1985, SEC. 97.)*

#### **IC 15-5-1.1-22 Repealed**

*(Repealed by Acts 1981, P.L. 222, SEC. 296.)*

#### **IC 15-5-1.1-22.1 Repealed**

*(Repealed by P.L. 152-1988, SEC. 30.)*

#### **IC 15-5-1.1-23 Discipline of registered veterinary technicians**

Sec. 23. Upon written complaint sworn to by any individual, the board may, by the concurrence of four (4) members, after a hearing and based upon findings of fact, discipline a registered veterinary technician by revoking or suspending the technician's registration for a time certain, placing the technician on probation, or by any other appropriate means for any of the following reasons:

- (1) The use of fraud, misrepresentation, or deception in obtaining a registration.
  - (2) Chronic inebriety, or the unlawful use of a controlled substance.
  - (3) The use of advertising or solicitation which is false or misleading or is otherwise deemed unprofessional under rules promulgated by the board.
  - (4) Conviction of or a plea of guilty to the charge of a felony or misdemeanor involving moral turpitude.
  - (5) Incompetence, gross negligence, or malpractice in performing as a registered veterinary technician.
  - (6) Cruelty to animals.
  - (7) Representing the technician as a veterinarian.
  - (8) Disciplinary action taken against the technician's registration by the board or by the licensing
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agency of any other state or jurisdiction by reason of the technician's inability to practice safely as a registered veterinary technician, if the reason is valid in the opinion of the board.  
*As added by Acts 1979, P.L. 146, SEC. 1. Amended by P.L. 169-1985, SEC. 16; P.L. 71-2000, SEC. 7.*

**IC 15-5-1.1-24 Repealed**

*(Repealed by P.L. 149-1987, SEC. 120.)*

**IC 15-5-1.1-25 Identification of registered veterinary technicians**

Sec. 25. (a) During working hours or when actively performing the technician's duties, a registered veterinary technician must wear a unique mark of identification on the technician's clothing approved by the board that identifies the technician as a registered veterinary technician.

(b) A registered veterinary technician may use the title "registered veterinary technician" or the abbreviation "R.V.T.".

(c) No individual, other than a registered veterinary technician may advertise or offer the individual's services in a manner calculated to lead others to believe that the individual is a trained veterinary technician or a registered veterinary technician.

*As added by Acts 1979, P.L. 146, SEC. 1. Amended by P.L. 71-2000, SEC. 8.*

**IC 15-5-1.1-26 Restrictions on registered veterinary technicians**

Sec. 26. A registered veterinary technician may not diagnose, prognose, prescribe medical or surgical treatment, or perform as a surgeon. However, the technician may perform routine procedures defined by board rules while under the direct supervision of a licensed veterinarian who shall be responsible for the technician's performance.

*As added by Acts 1979, P.L. 146, SEC. 1. Amended by P.L. 71-2000, SEC. 9.*

**IC 15-5-1.1-27 Direct supervision of veterinary employees**

Sec. 27. A licensed veterinarian who is required to directly supervise an employee must be present within the veterinarian's usual practice area, able to communicate directly with the employee at all times that the employee is performing animal health care, and prepared to personally assume treatment, if necessary for the welfare of the animal. Direct communication may be verbal, by telephone, or by two-way radio. Such instructions must be recorded by the employee and repeated by the employee to the employee's supervising licensed veterinarian.

*As added by Acts 1979, P.L. 146, SEC. 1. Amended by P.L. 71-2000, SEC. 10.*

**IC 15-5-1.1-28 Display of certificates**

Sec. 28. The holder of a license or special permit to practice veterinary medicine or of a registration or special permit to act as a veterinary technician, must display the certificate of license, registration, or special permit in such a manner as to be visible and readable by persons in the office of the veterinarian.

*As added by Acts 1979, P.L. 146, SEC. 1. Amended by P.L. 71-2000, SEC. 11.*

**IC 15-5-1.1-29 Prescriptions**

Sec. 29. A licensed veterinarian may write prescriptions, and the prescriptions shall be given the same recognition by druggists and pharmacists as they give the prescriptions of persons holding an unlimited license to practice medicine or osteopathic medicine.

*As added by Acts 1979, P.L. 146, SEC. 1. Amended by P.L. 71-2000, SEC. 12.*

**IC 15-5-1.1-30 Emergencies**

Sec. 30. Notwithstanding any other provision in this chapter, in an emergency, in the absence of the licensed veterinarian employer, an employee may perform the duties it is lawful for the employee to perform under the direct supervision of a licensed veterinarian in accordance with the rules of the board and the written authority of the licensed veterinary employer.

*As added by Acts 1979, P.L. 146, SEC. 1. Amended by P.L. 71-2000, SEC. 13.*

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**IC 15-5-1.1-31 Good Samaritan deeds**

Sec. 31. A licensed veterinarian or a registered veterinary technician who on the veterinarian's or technician's own initiative gives emergency treatment to a sick or injured animal is not liable in damages to the owner of such animal in the absence of gross negligence. If a licensed veterinarian performs euthanasia on the animal, there is a presumption that such was a humane act, necessary to relieve it of pain and suffering.

*As added by Acts 1979, P.L. 146, SEC.1. Amended by P.L.71-2000, SEC.14.*

**IC 15-5-1.1-32 Repealed**

*(Repealed by P.L.4-1998, SEC.15.)*

**IC 15-5-1.1-33 Abandoned animals**

Sec. 33. (a) An animal placed in the custody of a veterinarian shall be considered to be abandoned five (5) days after the veterinarian has given written notice to the individual who delivered the animal to the veterinarian that the animal should be reclaimed by the individual. Such written notice shall be delivered to the place given by the individual as the individual's mailing address at the time the individual delivered the animal to the veterinarian.

(b) Abandonment of an animal under this section constitutes the relinquishment of all rights and claims by the owner of the animal and it may be sold or otherwise disposed of as the veterinarian may see fit and the purchaser or donee of the animal shall receive full and clear title to the animal.

(c) The giving of notice as provided in this section relieves the veterinarian and all persons who receive such an animal from the veterinarian of criminal or civil liability.

(d) The individual who delivered an animal abandoned under this section is liable for all reasonable and customary expenses incurred for diagnosis, treatment, hospitalization, surgery, board, euthanasia, and disposal of the abandoned animal.

*As added by Acts 1979, P.L. 146, SEC.1. Amended by P.L.71-2000, SEC.15.*

**IC 15-5-1.1-34 Offenses; veterinarian**

Sec. 34. A person who knowingly:

(1) practices veterinary medicine in this state without a license or special permit to practice veterinary medicine issued by the board; or

(2) supplies false information on an application for a license as a veterinarian;  
commits a Class B misdemeanor.

*As added by Acts 1979, P.L. 146, SEC.1. Amended by P.L.71-2000, SEC.16.*

**IC 15-5-1.1-35 Offenses; veterinary technician**

Sec. 35. A person who knowingly:

(1) acts as a registered veterinary technician in this state without being registered as a veterinary technician with the board or having a special permit issued by the board; or

(2) supplies false information on an application for registration as a veterinary technician;  
commits a Class B misdemeanor.

*As added by Acts 1979, P.L. 146, SEC.1. Amended by P.L.71-2000, SEC.17.*

**IC 15-5-1.1-36 Injunctions; unauthorized practice of veterinary medicine**

Sec. 36. (a) If a person engages in the practice of veterinary medicine without a license or certificate issued under this chapter:

- (1) the attorney general;
- (2) a prosecuting attorney;
- (3) the board; or
- (4) a citizen;

may maintain an action in the name of the state to enjoin the person from engaging in the practice of veterinary medicine.

(b) In charging a person under subsection (a) in an affidavit, information, or indictment with a violation of this chapter, it is sufficient to charge that the person did, on a certain date and in a certain county, engage in the practice of veterinary medicine without a license or permit issued under this chapter.

*As added by P.L.48-1991, SEC.9.*

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<p style="text-align: center;"><b>TITLE 888</b> <b>INDIANA BOARD OF VETERINARY MEDICAL EXAMINERS</b></p>
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This is an UNOFFICIAL version of the Indiana Board of Veterinary Medical Examiners administrative rules prepared by the Indiana Professional Licensing Agency  
10/2005

**Art. 1. VETERINARIANS' LICENSING; MEETING PROCEDURE (REPEALED)**

**Art. 1.1 PROFESSIONAL COMPETENCE**

**Art. 2 ANIMAL TECHNICIANS' REGISTRATION (REPEALED)**

**ARTICLE 1. VETERINARIANS' LICENSING; MEETING PROCEDURE (REPEALED)**

*(Repealed by Indiana Board of Veterinary Medical Examiners; filed Dec 1, 1983, 3:40 pm: 7 IR 387)*

**ARTICLE 1.1. PROFESSIONAL COMPETENCE**

- Rule 1. Veterinarians
- Rule 2. Registered Veterinary Technicians
- Rule 3. Fees
- Rule 4. Veterinary Practice Facilities
- Rule 5. Standards of Practice
- Rule 6. Application for License as a Veterinarian
- Rule 7. Application for Veterinary License; Endorsement
- Rule 8. Application for Registration as a Veterinary Technician; Examination
- Rule 9. Application for Registration as a Veterinary Technician; Endorsement
- Rule 10. Continuing Education
- Rule 11. Inactive Status of Licenses

**Rule 1. Veterinarians**

**888 IAC 1.1-1-1 Professional competence**

**888 IAC 1.1-1-1 Professional competence**

Authority: IC 15-5-1.1-8

Affected: IC 15-5-1.1-8; IC 15-5-1.1-20.2

Sec. 1. A licensed veterinarian is professionally competent if, in the practice of veterinary medicine, he exercises the reasonable care and diligence ordinarily exercised by members of his profession in similar cases under like conditions. *(Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-1-1; filed Dec 1, 1983, 3:40 pm: 7 IR 387; readopted filed Jul 18, 2001, 10:20 a.m.: 24 IR 4238)*

**Rule 2. Registered Veterinary Technicians**

**888 IAC 1.1-2-1 Professional competence**

**888 IAC 1.1-2-1 Professional competence**

Authority: IC 15-5-1.1-8

Affected: IC 15-5-1.1-8; IC 15-5-1.1-20.2

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Sec. 1. A registered veterinary technician is professionally competent if, in the performance of his assigned duties, he exercises the reasonable care and diligence ordinarily exercised by members of his profession in similar cases under like conditions. (*Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-2-1; filed Dec 1, 1983, 3:40 pm; 7 IR 387; readopted filed Jul 18, 2001, 10:20 a.m.: 24 IR 4238*)

### Rule 3. Fees

888 IAC 1.1-3-1 Fees (Repealed)  
888 IAC 1.1-3-2 Licensed veterinarians; fees  
888 IAC 1.1-3-3 Registered veterinary technicians; fees

#### 888 IAC 1.1-3-1 Fees (Repealed)

Sec. 1. (*Repealed by Indiana Board of Veterinary Medical Examiners; filed Nov 14, 1985, 9:38 am; 9 IR 778*)

#### 888 IAC 1.1-3-2 Licensed veterinarians; fees

Authority: IC 15-5-1.1-8; IC 15-5-1.1-20.2; IC 25-1-8-2  
Affected: IC 25-1-8-1

Sec. 2. The following fees shall apply to licensed veterinarians:

Application for licensure/issuance	\$150
Application by examination/issuance	\$150
License renewal (October 15 of each odd-numbered year)	\$100 biennially
Endorsement-reciprocity out	\$10
Duplicate license	\$10

(*Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-3-2; filed Nov 14, 1985, 9:38 a.m.: 9 IR 778; filed Feb 26, 1987, 2:45 p.m.: 10 IR 1392; filed Jul 6, 1988, 2:20 p.m.: 11 IR 3919; filed Mar 15, 1989, 2:55 p.m.: 12 IR 1635; filed May 20, 1993, 5:00 p.m.: 16 IR 2424; filed May 20, 1996, 3:00 p.m.: 19 IR 2882; filed Aug 7, 2000, 2:19 p.m.: 24 IR 24; readopted filed Dec 2, 2001, 12:35 p.m.: 25 IR 1346*)

#### 888 IAC 1.1-3-3 Registered veterinary technicians; fees

Authority: IC 15-5-1.1-8; IC 15-5-1.1-20.2; IC 25-1-8-2  
Affected: IC 25-1-8-1

Sec. 3. The following fees shall apply to registered veterinary technicians:

Application for registration-issuance	\$30
Examination	
Administrative fee payable to the health professions bureau	\$15, plus cost of veterinary technology examination payable to PES
Renewal of registration	\$15 biennially (January 1 of each even-numbered year)
Reinstatement of registration	\$10 plus current biennial renewal fee
Endorsement-reciprocity out	\$10
Duplicate registration	\$10

(*Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-3-3; filed Nov 14, 1985, 9:38 a.m.: 9 IR 778; filed Feb 26, 1987, 2:45 p.m.: 10 IR 1393; filed Jul 6, 1988, 2:20 p.m.: 11 IR 3919; filed May 1, 1990, 10:45 a.m.: 13 IR 1721; filed May 20, 1993, 5:00 p.m.: 16 IR 2424; filed May 20, 1996, 3:00 p.m.: 19 IR 2882; errata filed Jul 3, 1996, 5:00 p.m.: 19 IR 3114; readopted filed Dec 4, 2001, 10:17 a.m.: 25 IR 1733*)

### Rule 4. Veterinary Practice Facilities

888 IAC 1.1-4-1 Fixed practice facilities; standards  
888 IAC 1.1-4-2 Mobile practice facilities; standards

#### 888 IAC 1.1-4-1 Fixed practice facilities; standards

Authority: IC 15-5-1.1-8  
Affected: IC 15-5-1.1-8; IC 15-5-1.1-22.1

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Sec. 1. For the purposes of 888 IAC 1.1-4-1, "fixed practice facility" means a stationary facility established to provide examination, diagnosis, and health maintenance to animals. Practitioners maintaining a fixed veterinary practice facility shall comply with the following standards:

(a) If medical treatment is provided to animals, appropriate areas for such treatment shall be available within the facility, as well as housing for treatment and convalescence.

(b) If aseptic surgery is performed within the facility, the facility shall contain and use:

(1) an area designated for surgery;

(2) adequate sterilization for instruments, gloves, and drapes;

(3) sterile instruments, gloves, and drapes;

(4) adequate lighting;

(5) adequate drugs and equipment readily available to handle surgical emergencies, including but not limited to endotracheal catheters, and oxygen or respiratory facilities.

(c) The facility shall provide adequate heating and ventilation for the comfort of animals treated and housed within.

(d) The facility shall be equipped with proper lighting in order that all parts thereof are clearly visible.

(e) The facility shall comply with all applicable state and local ordinances, including but not limited to:

(1) hot and cold running water from a source approved by the appropriate authorities;

(2) adequate clean and orderly toilets and lavatories for personnel and clients;

(3) sanitary and esthetic disposal of dead animals.

(f) All supplies, including food and bedding, shall be stored in facilities which adequately protect against infestation, contamination, or deterioration. Refrigeration shall be provided for all supplies that are of perishable nature, including food, drugs, and biologicals.

(g) Excrement shall be promptly removed and disposed of in an appropriate manner.

(h) The exterior of the facility shall be clean and in good repair, and surrounding grounds must be clean and well-maintained.

(i) Appropriate exterior identification shall be posted to clearly indicate that the location is a veterinary practice facility.

(j) All interior areas of the facility, including the entrance, reception area, office, dispensing area, and examination rooms shall be clean, orderly and free from hazards.

(k) If grooming services are performed within the facility, the grooming area shall be clean and orderly.

(l) The animal housing area shall be clean, orderly, and well-lighted.

(m) Exercise runs, if provided, shall be clean, secure, and free of hazards.

(n) The following equipment shall be available within the facility:

(1) lined waste receptacle;

(2) sink;

(3) disposable towels;

(4) adequate table with impervious surface, capable of being disinfected after each examination;

(5) stethoscope;

(6) thermometer;

(7) refrigerator;

(8) other equipment appropriate to the type of practice.

(o) Laboratory equipment shall be available within the facility or shall be readily accessible.

(p) If radiological services are provided within the facility, the following equipment shall be contained therein:

(1) x-ray machine;

(2) developing tanks.

If radiological services are not provided within the facility, appropriate arrangements shall be made to provide these services outside the facility. (*Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-4-1; filed Apr 26, 1988, 2:10 pm: 11 IR 3045; readopted filed Jul 18, 2001, 10:20 a.m.: 24 IR 4238*)

#### **888 IAC 1.1-4-2 Mobile practice facilities; standards**

Authority: IC 15-5-1.1-8

Affected: IC 15-5-1.1-8; IC 15-5-1.1-22.1

Sec. 2. For the purposes of 888 IAC 1.1-4-2, "mobile practice facility" means a practice established to provide examination, diagnosis, and health maintenance to animals conducted from a vehicle with special medical or surgical facilities or from a vehicle suitable only for making house or farm calls. Practitioners maintaining a mobile practice facility shall comply with the following standards:

(a) Regardless of mode of transportation, the practice shall have a permanent base of operations with a published address and telephone facilities for making appointments or responding to emergency situations.

(b) All records shall be maintained at the permanent facility and the information contained therein shall be readily accessible.

(c) The vehicle and equipment shall be clean, neat, and in good repair.

(d) Clean coveralls or other outer garment shall be available for each call.

(e) Footwear capable of being disinfected shall be available on each professional call.

(f) If surgical procedures are performed within the mobile facility, the facility shall meet requirements of 888 IAC 1.1-4-1(b). (*Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-4-2; filed Apr 26, 1988, 2:10 pm: 11 IR 3046; readopted filed Jul 18, 2001, 10:20 a.m.: 24 IR 4238*)

## **Rule 5. Standards of Practice**

888 IAC 1.1-5-1 Standards of practice

888 IAC 1.1-5-2 Animal health records

### **888 IAC 1.1-5-1 Standards of practice**

Authority: IC 15-5-1.1-8

Affected: IC 25-1-9

Sec. 1. A veterinarian may be found guilty of the incompetent practice of veterinary medicine and may be disciplined under IC 25-1-9 if the veterinarian does any of the following:

(1) Fails to maintain written animal health records as defined by section 2 of this rule.

(2) Dispenses or prescribes drugs or therapy unless a veterinarian-client-patient relationship has been established. As used in this subdivision, "veterinarian-client-patient relationship" means the following:

(A) The veterinarian has assumed the responsibility for making clinical judgments regarding the health of the animal and the need for medical treatment, and the client has agreed to follow the veterinarian's instructions.

(B) The veterinarian has sufficient knowledge of the animal to initiate at least a general or preliminary diagnosis of the medical condition of the animal. This means that the veterinarian has recently seen and is personally acquainted with the keeping and care of the animal by virtue of an examination of the animal, or by medically appropriate and timely visits to the premises where the animal is kept.

(C) The veterinarian is readily available or has arranged for emergency coverage, for follow-up evaluation in the event of adverse reactions, or the failure of the treatment regimen.

(3) Knowingly provides prescription drugs or access to prescription drugs for use other than in the proper course of veterinary diagnosis or treatment.

(4) Performs a treatment or procedure that is beyond the skill or knowledge of the practitioner.

(5) Permits, delegates, or requires an employed veterinarian to improperly perform the duties of an accredited veterinarian.

(6) Permits, delegates, or requires an employed veterinarian to perform services that would constitute a violation of standards provided by this section.

(*Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-5-1; filed Apr 26, 1988, 2:10 p.m.: 11 IR 3046; filed Aug 11, 1989, 1:35 p.m.: 13 IR 86; filed Dec 27, 1993, 9:00 a.m.: 17 IR 1003; filed May 2, 2001, 10:05 a.m.: 24 IR 2707*)

### **888 IAC 1.1-5-2 Animal health records**

Authority: IC 15-5-1.1-8

Affected: IC 25-1-9

Sec. 2. (a) For purposes of section 1 of this rule, written animal health records shall include, but not be limited to, the following information:

(1) Name, address, and telephone number of the owner.

(2) Name, number, or other identification of the animal or group.

(3) Species, breed, age, sex, and color of the animal.

(4) Immunization record.

(5) Beginning and ending dates of custody of the animal.

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- (6) A short history of the animal's condition as it pertains to its medical status.
- (7) Physical examination findings and laboratory data.
- (8) Provisional or final diagnosis.
- (9) Treatment and medication administered, prescribed, or dispensed.
- (10) Surgery and anesthesia.
- (11) Progress of the case.
- (b) Animal health records for companion animals shall be maintained for each animal.
- (c) Animal health records for economic animals may be maintained on a group or client basis.
- (d) Animal health records shall be retained and shall be readily retrievable for a period of three (3) years following the last treatment or examination. (*Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-5-2; filed Dec 27, 1993, 9:00 a.m.: 17 IR 1004; readopted filed Jul 18, 2001, 10:20 a.m.: 24 IR 4238*)

#### **888 IAC 1.1-5-3 Reporting of substance abuse or psychiatric impairment**

Authority: IC 15-5-1.1-8

Affected: IC 15-5-1.1

Sec. 3. (a) For purposes of this section, "practitioner" is means a:

- (1) veterinarian who is licensed to practice veterinary medicine; or
- (2) veterinary technician who is registered to work under the direct supervision of a licensed veterinarian;

in accordance with IC 15-5-1.1.

(b) Any practitioner who has personal knowledge based upon a reasonable belief that another practitioner has a:

- (1) severe dependency upon alcohol or other drugs or controlled substances; or
- (2) psychiatric impairment;

shall promptly report the conduct to the board unless the practitioner with the substance abuse problem or psychiatric impairment would be exempt from reporting himself or herself under subsection (c).

(c) A practitioner who voluntarily submits himself or herself to, or is otherwise undergoing, a course of treatment for:

- (1) addiction;
- (2) severe dependency upon alcohol or other drugs or controlled substances; or
- (3) psychiatric impairment;

where the treatment is sponsored or supervised by professional healthcare or substance abuse treatment providers shall be exempt from reporting to the board for so long as the practitioner is complying with the course of recommended treatment and making satisfactory progress.

(d) This section shall not, in any manner whatsoever directly or indirectly, be deemed or construed to:

- (1) prohibit;
- (2) restrict;
- (3) limit; or
- (4) otherwise preclude;

the board from taking any action it deems appropriate or as may otherwise be provided by law. (*Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-5-3*)

### **Rule 6. Application for License as a Veterinarian**

888 IAC 1.1-6-1 Application content; examination applicant

888 IAC 1.1-6-2 Practical examination content (Repealed)

888 IAC 1.1-6-3 Examination scores

#### **888 IAC 1.1-6-1 Application content; examination applicant; application deadline**

Authority: IC 15-5-1.1-8

Affected: IC 15-5-1.1-11; IC 15-5-1.1-12

Sec. 1. (a) An applicant for license by examination shall submit the following information:

- (1) Official transcripts or a letter from the dean, certified by the school or college, recording the degree earned in a school or college of veterinary medicine accredited under IC 15-5-1.1-11(a) or a notarized copy of the applicant's diploma.

(2) Official score report of the applicant's National Board Examination (NBE) and the Clinical Competency Test (CCT) or the North American Veterinary Licensing Examination (NAVLE) approved under IC 15-5-1.1-12(b) if the applicant is not applying to take these examinations in Indiana.

(3) Two (2) unmounted, duplicate, passport-quality photographs taken not earlier than eight (8) weeks prior to the date of application, dated and signed across the back in the applicant's handwriting, "I certify that this is a true photograph of me."

(4) A statement from the appropriate agency in each state where the applicant has been licensed, verifying the date the applicant's license was originally issued and certifying whether or not disciplinary proceedings have ever been initiated or are presently pending against the applicant.

(5) The fee required by 888 IAC 1.1-3-2.

(b) An applicant who has not graduated from an accredited school of veterinary medicine and who submits satisfactory proof that he or she is enrolled in the Educational Commission for Foreign Veterinary Graduates (ECFVG) program of the American Veterinary Medical Association and has completed ECFVG Step 2 (English proficiency) may be approved to take the NAVLE. The applicant is not eligible for licensure until he or she submits satisfactory proof that he or she holds an ECFVG certificate issued by the American Veterinary Medical Association.

(c) All applications for the NAVLE must be received by the board at least ninety-five (95) days prior to the administration of the NAVLE in which the applicant desires to participate. (*Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-6-1; filed Jan 22, 1991, 4:50 p.m.: 14 IR 1284; filed Dec 27, 1993, 9:00 a.m.: 17 IR 1004; filed Aug 7, 2000, 2:19 p.m.: 24 IR 24; readopted filed Jul 18, 2001, 10:20 a.m.: 24 IR 4238; filed Dec 20, 2002, 12:31 p.m.: 26 IR 1563; filed Sep 16, 2004, 9:20 a.m.: 28 IR 606; filed Oct 6, 2004, 5:15 p.m.: 28 IR 607*)

#### **888 IAC 1.1-6-2 Practical examination content (*Repealed*)**

Sec. 2. (*Repealed by Indiana Board of Veterinary Medical Examiners; filed Dec 27, 1993, 9:00 a.m.: 17 IR 1006*)

#### **888 IAC 1.1-6-3 Examination scores**

Authority: IC 15-5-1.1-8

Affected: IC 15-5-1.1

Sec. 3. (a) An applicant for licensure is required to attain a passing score on the National Board Examination (NBE) and the Clinical Competency Test (CCT) or the North American Veterinary Licensing Examination (NAVLE).

(b) An applicant is required to attain a score of seventy-five (75) or above on a written examination on jurisprudence.

(c) An applicant who attains a score of seventy-five (75) or above on the written examination on jurisprudence and a passing score on the CCT and the NBE or the NAVLE shall pass the examination.

(d) An applicant who has taken the NBE and CCT or the NAVLE in another state is not required to retake those examinations, provided the applicant has attained a passing score on the examinations.

(e) An applicant who attains a score below seventy-five (75) on the written examination on jurisprudence or a score below passing on the NBE, CCT, or NAVLE shall fail the examination and must repeat the examination on which a passing score was not attained.

(f) The applicable fee shall be charged for each examination or reexamination. (*Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-6-3; filed Jan 22, 1991, 4:50 p.m.: 14 IR 1284; filed Apr 12, 1993, 11:00 a.m.: 16 IR 2188; filed Dec 27, 1993, 9:00 a.m.: 17 IR 1005; filed Aug 7, 2000, 2:19 p.m.: 24 IR 25; readopted filed Jul 18, 2001, 10:20 a.m.: 24 IR 4238*)

### **Rule 7. Application for Veterinary License; Endorsement**

888 IAC 1.1-7-1 Application for license by endorsement

#### **888 IAC 1.1-7-1 Application for license by endorsement**

Authority: IC 15-5-1.1-8

Affected: IC 15-5-1.1

Sec. 1. (a) An applicant for license by endorsement shall submit the following information:

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- (1) Official transcripts or a letter from the dean, certified by the school or college, recording the degree earned in a school or college of veterinary medicine accredited under IC 15-5-1.1-11(a), a notarized copy of diploma, or a certificate issued by the Educational Commission for Foreign Veterinary Graduates program of the American Veterinary Medical Association.
  - (2) One (1) passport-quality photograph taken not earlier than eight (8) weeks prior to the date of application, dated and signed across the back in the applicant's handwriting, "I certify that this is a true photograph of me."
  - (3) Official score report of the applicant's National Board Examination (NBE) and the Clinical Competency Test (CCT) or the North American Veterinary Licensing Examination (NAVLE) approved under IC 15-5-1.1-12(b).
  - (4) A statement from the appropriate agency in each state where the applicant is or has been licensed, verifying the date the applicant's license was originally issued and certifying whether or not disciplinary proceedings have ever been initiated or are presently pending against the applicant.
  - (5) The fee required by 888 IAC 1.1-3-2.
  - (6) Any other documentation the board may require to demonstrate compliance with IC 15-5-1.1-13.
- (b) An applicant is required to attain a score of seventy-five (75) or above on a written jurisprudence examination. (*Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-7-1; filed May 8, 1992, 5:00 p.m.: 15 IR 1962; filed Dec 27, 1993, 9:00 a.m.: 17 IR 1005; filed Aug 7, 2000, 2:19 p.m.: 24 IR 25; readopted filed Jul 18, 2001, 10:20 a.m.: 24 IR 4238*)

## **Rule 8. Application for Registration as a Veterinary Technician; Examination**

- 888 IAC 1.1-8-1 Application content  
888 IAC 1.1-8-2 Practical examination content (Repealed)  
888 IAC 1.1-8-3 Examination scores

### **888 IAC 1.1-8-1 Application content**

Authority: IC 15-5-1.1-8  
Affected: IC 15-5-1.1-15

Sec. 1. An applicant for registration as a veterinary technician shall submit the following information:

- (1) Official transcripts, certified by the school or college, recording degree earned in a program of veterinary technology approved under IC 15-5-1.1-15.
- (2) Official score reports from the Professional Examination Service showing a passing score on the examination in veterinary technology, if the applicant is not applying to take this examination in Indiana.
- (3) Two (2) unmounted, duplicate, passport-quality photographs taken not earlier than one (1) year prior to the date of application, dated and signed across the back in the applicant's handwriting, "I certify that this is a true photograph of me."
- (4) Statement from the appropriate agency in each state where the applicant has been registered, verifying the date the applicant's registration was originally issued and certifying whether or not disciplinary proceedings have ever been initiated or are presently pending against the applicant.
- (5) Fee required under 888 IAC 1.1-3-3.

(*Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-8-1; filed May 8, 1992, 5:00 p.m.: 15 IR 1962; readopted filed Jul 18, 2001, 10:20 a.m.: 24 IR 4238*)

### **888 IAC 1.1-8-2 Practical examination content (Repealed)**

Sec. 2. (*Repealed by Indiana Board of Veterinary Medical Examiners; filed Dec 27, 1993, 9:00 a.m.: 17 IR 1006*)

### **888 IAC 1.1-8-3 Examination scores**

Authority: IC 15-5-1.1-8  
Affected: IC 15-5-1.1-12

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Sec. 3. (a) An applicant is required to attain a criterion-referenced passing point of 425 on the veterinary technology examination given by the Professional Examination Service (PES).

(b) An applicant is required to attain a minimum score of seventy-five (75) on a written jurisprudence examination.

(c) An applicant who attains a score of seventy-five (75) or above on the written jurisprudence examination and a criterion-referenced passing point of 425 or above on the PES written examination in veterinary technology shall pass the examination.

(d) An applicant who has taken the PES written examination in another state is not required to retake that examination, provided the applicant has attained a criterion-referenced passing point of 425 on the examination.

(e) An applicant who attains a score below seventy-five (75) on the written jurisprudence examination or a criterion-referenced passing point of 425 on the PES written examination shall fail the examination and must repeat the examination on which a passing score was not attained.

(f) The applicable fee shall be charged for each examination or reexamination. (*Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-8-3; filed May 8, 1992, 5:00 p.m.: 15 IR 1963; filed Dec 27, 1993, 9:00 a.m.: 17 IR 1005; readopted filed Jul 18, 2001, 10:20 a.m.: 24 IR 4238; filed Jun 27, 2005, 10:00 a.m.; 28 IR 3581*)

## **Rule 9. Application for Registration as a Veterinary Technician; Endorsement**

888 IAC 1.1-9-1 Application for registration by endorsement

### **888 IAC 1.1-9-1 Application for registration by endorsement**

Authority: IC 15-5-1.1-8

Affected: IC 15-5-1.1-15; IC 15-5-1.1-15.4

Sec. 1. (a) An applicant for registration by endorsement shall submit the following information:

(1) Official transcripts, certified by the school or college, recording the degree earned in a veterinary technology program approved under IC 15-5-1.1-15.

(2) One (1) passport-quality photograph taken not earlier than one (1) year prior to the date of application, dated and signed across the back in the applicant's handwriting, "I certify that this is a true photograph of me."

(3) A statement from the appropriate agency in each state where the applicant is or has been registered, verifying the date the applicant's registration was originally issued and certifying whether or not disciplinary proceedings have ever been initiated or are presently pending against the applicant.

(4) The fee required by 888 IAC 1.1-3-3.

(5) Any other documentation the board may require to demonstrate compliance with IC 15-5-1.1-15.4.

(b) An applicant is required to attain a minimum score of seventy-five (75) on a written jurisprudence examination. (*Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-9-1; filed May 8, 1992, 5:00 p.m.: 15 IR 1963; filed Dec 27, 1993, 9:00 a.m.: 17 IR 1006; readopted filed Jul 18, 2001, 10:20 a.m.: 24 IR 4238*)

## **Rule 10. Continuing Education**

888 IAC 1.1-10-1 Continuing education requirements for veterinarians and veterinary technicians

888 IAC 1.1-10-2 Continuing education reporting

888 IAC 1.1-10-3 Application for approval

888 IAC 1.1-10-4 Standards for approval

### **888 IAC 1.1-10-1 Continuing education requirements for veterinarians and veterinary technicians**

Authority: IC 15-5-1.1-8

Affected: IC 15-5-1.1

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Sec. 1. (a) A veterinarian licensed in Indiana is required to complete forty (40) clock hours of continuing education in the area of veterinary medicine for biennial license renewal on October 15 of each odd-numbered year.

(b) A registered veterinary technician is required to complete sixteen (16) clock hours of continuing education in the area of veterinary medicine for renewal of a registration on January 1 of each even-numbered year.

(c) A licensed veterinarian or registered veterinary technician is not required to complete continuing education requirements for the year in which the initial license or registration is issued.

(d) Continuing education clock hours must be obtained within the biennial renewal period and may not be carried over from one (1) renewal period to another. (*Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-10-1; filed Jul 25, 1997, 8:30 a.m.: 20 IR 3374; readopted filed Oct 31, 2003, 3:45 p.m.: 27 IR 946*)

#### **888 IAC 1.1-10-2 Continuing education reporting**

Authority: IC 15-5-1.1-8

Affected: IC 15-5-1.1

Sec. 2. (a) A licensed veterinarian and a registered veterinary technician must certify completion of continuing education required by section 1 of this rule at the time of license or registration renewal on a form provided by the health professions bureau.

(b) A licensed veterinarian and a registered veterinary technician must retain a record of continuing education required by section 1 of this rule for four (4) years following the end of the biennium.

(c) It is the responsibility of the veterinarian or registered veterinary technician to verify that courses attended have been approved by the board. Without approval, as provided in section 3 of this rule, credit will not be given.

(d) The board will not renew a license of a veterinarian or a registration of a veterinary technician who fails to comply with this rule.

(e) Continuing education clock hours used to satisfy continuing education requirements of another state may be applied toward the fulfillment of the continuing education clock hours required in Indiana. (*Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-10-2; filed Jul 25, 1997, 8:30 a.m.: 20 IR 3374; readopted filed Oct 31, 2003, 3:45 p.m.: 27 IR 946*)

#### **888 IAC 1.1-10-3 Application for approval**

Authority: IC 15-5-1.1-8

Affected: IC 15-5-1.1

Sec. 3. (a) The sponsoring organization must file an application provided by the bureau. The application must contain the following information:

(1) Name of lecturer.

(2) Academic and professional background of lecturer.

(3) Brief summary of content of program.

(4) Date and location of program.

(5) Number of clock hours of continuing education requested.

(6) Name of the person who will monitor attendance and the manner in which attendance will be monitored.

(7) Any other pertinent information required by the board.

(b) As a condition to approval of programs, the sponsoring organization must agree to provide participants with a record of attendance and to retain records of attendance by participants for four (4) years from the date of the program. (*Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-10-3; filed Jul 25, 1997, 8:30 a.m.: 20 IR 3374; readopted filed Oct 31, 2003, 3:45 p.m.: 27 IR 946*)

#### **888 IAC 1.1-10-4 Standards for approval**

Authority: IC 15-5-1.1-8

Affected: IC 15-5-1.1

Sec. 4. (a) The board will approve a course if it determines that the course will make a significant contribution to the professional competency of veterinarians and veterinary technicians who enroll. In determining if a course meets this standard, the board will consider whether the following requirements are met:

(1) The course has substantial content.

(2) The course content directly relates to the professional practice of veterinary medicine.

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- (3) Each faculty member or lecturer who has teaching responsibility in the course is qualified by academic work or practical experience to teach the assigned subject.
  - (4) High quality written materials, including notes and outlines, are available to all veterinarians and veterinary technicians who enroll at or prior to the time the course is offered.
  - (5) The course is of sufficient length to provide a substantial educational experience. A course of less than one (1) hour will be carefully reviewed to determine if a substantial educational experience is provided.
  - (6) Appropriate educational methodology is used, including, but not limited to, the following:
    - (A) Prepared library packages.
    - (B) Courses of programmed instruction.
    - (C) Active participation and demonstration.
    - (D) Audio-visual materials.
  - (7) An adequate number of instructors is provided for the course. If audio-visual tapes are used as teaching materials, live presentations or discussion leaders must accompany the replaying of the tapes.
  - (b) Continuing education derived from self-study will be accepted as renewal credit under the following conditions:
    - (1) The content must pertain to the practice of veterinary medicine.
    - (2) Credit is limited to ten (10) hours per biennial renewal period for veterinarians and four (4) hours per biennial renewal period for veterinary technicians.
    - (3) Self-study methods of presentation must include a written examination or postevaluation.
    - (c) Notwithstanding subsection (a), continuing education programs for veterinarians and registered veterinary technicians sponsored by the following organizations shall be deemed approved and no approval by the board shall be required:
      - (1) American Veterinary Medical Association or any of its constituent organizations.
      - (2) Indiana Veterinary Medical Association, local veterinary associations, or any other state or provincial veterinary medical association.
      - (3) American Animal Hospital Association or any other veterinary specialty organization.
      - (4) Indiana Veterinary Technicians Association.
      - (5) Purdue University School of Veterinary Medicine or any other accredited veterinary school in the United States.
      - (6) American Association of Laboratory Animal Sciences.
- (Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-10-4; filed Jul 25, 1997, 8:30 a.m.: 20 IR 3374; readopted filed Oct 31, 2003, 3:45 p.m.: 27 IR 946)*

## **Rule 11. Inactive Status of Licenses**

- 888 IAC 1.1-11-1 Inactive status for veterinarians
- 888 IAC 1.1-11-2 Reactivation of an inactive license to practice veterinary medicine; requirements
- 888 IAC 1.1-11-3 Inactive status for registered veterinary technicians
- 888 IAC 1.1-11-4 Reactivation of an inactive veterinary technician registration

### **888 IAC 1.1-11-1 Inactive status for veterinarians**

Authority: IC 15-5-1.1-8

Affected: IC 15-5-1.1-18; IC 15-5-1.1-19

Sec. 1. (a) The board may place a veterinary license on inactive status if the applicant makes the request in writing under IC 15-5-1.1-19.

(b) The fee and continuing education requirements are waived when a request for inactive status is submitted to and approved by the board.

(c) The veterinarian will no longer receive renewal notices until the time the veterinarian submits a written request to reactivate the veterinarian's license. *(Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-11-1; filed Dec 20, 2002, 12:36 p.m.: 26 IR 1563)*

### **888 IAC 1.1-11-2 Reactivation of an inactive license to practice veterinary medicine; requirements**

Authority: IC 15-5-1.1-8

Affected: IC 15-5-1.1-18; IC 15-5-1.1-19

Sec. 2. (a) The following requirements apply to requests for reactivation of an inactive license to practice veterinary medicine:

- (1) The veterinarian must submit an application for reactivation in the form and manner required by the board.
  - (2) The veterinarian must submit the current renewal fee as required in 888 IAC 1.1-3-2 at the time of applying to reactivate the applicant's license.
  - (3) If the veterinarian's license has been on inactive status two (2) years or less, the veterinarian must submit proof of the completion of the continuing education hours required by 888 IAC 1.1-10-1.
  - (4) If the veterinarian's license has been on inactive status for more than two (2) years up to and including three (3) years, the veterinarian must submit proof of completion of sixty (60) hours of the continuing education that meets the requirements of 888 IAC 1.1-10-1.
  - (5) If the veterinarian's license has been on inactive status more than three (3) years up to and including four (4) years, the veterinarian must submit proof of completion of eighty (80) hours of the continuing education that meets the requirements of 888 IAC 1.1-10-1.
  - (6) If the veterinarian's license has been inactive more than four (4) years, the board may require the veterinarian to make a personal appearance before the board and meet any additional conditions set by the board, including, but not limited to, completion of continuing education in an amount prescribed by the board. The veterinarian may be required to take and pass an examination as approved by the board.
- (b) Documentation verifying the completion of the required continuing education hours must be submitted to the board with the license reactivation application. (*Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-11-2; filed Dec 20, 2002, 12:36 p.m.: 26 IR 1563*)

### **888 IAC 1.1-11-3 Inactive status for registered veterinary technicians**

Authority: IC 15-5-1.1-8

Affected: IC 15-5-1.1-18; IC 15-5-1.1-19

Sec. 3. (a) The board may place a registered veterinary technician on inactive status if the applicant makes the request in writing under IC 15-5-1.1-19.

(b) The fee and continuing education requirements are waived when a request for inactive status is submitted to and approved by the board.

(c) The registered veterinary technician will no longer receive renewal notices until the time the registered veterinary technician submits a written request to reactivate the veterinary technician's registration. (*Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-11-3; filed Dec 20, 2002, 12:36 p.m.: 26 IR 1564*)

### **888 IAC 1.1-11-4 Reactivation of an inactive veterinary technician registration**

Authority: IC 15-5-1.1-8

Affected: IC 15-5-1.1-18; IC 15-5-1.1-19

Sec. 4. (a) The following requirements apply to requests for reactivation of an inactive veterinary technician registration:

- (1) The veterinary technician must submit an application for reactivation in the form and manner required by the board.
- (2) The registered veterinary technician must submit the current renewal fee as required in 888 IAC 1.1-3-3 at the time of applying to reactivate the applicant's registration.
- (3) If the registered veterinary technician's registration has been on inactive status two (2) years or less, the registered veterinary technician must submit proof of the completion of the continuing education hours required by 888 IAC 1.1-10-1.
- (4) If the registered veterinary technician has been on inactive status more than two (2) years up to and including three (3) years, the registered veterinary technician must submit proof of completion of twenty-four (24) hours of the continuing education that meets the requirements of 888 IAC 1.1-10-1.
- (5) If the registered veterinary technician has been on inactive status more than three (3) years up to and including four (4) years, the registered veterinary technician must submit proof of completion of thirty-two (32) hours of the continuing education that meets the requirements of 888 IAC 1.1-10-1.
- (6) If the registered veterinary technician has been on inactive status more than four (4) years, the board may require the registered veterinary technician to make a personal appearance before the board and meet any additional conditions set by the board, including, but not limited to, the completion of continuing education in an amount prescribed by the board. The registered veterinary technician may be required to take and pass an examination as approved by the board.

(b) Documentation verifying the completion of the required continuing education hours must be submitted to the board with the registration reactivation application. *(Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-11-4; filed Dec 20, 2002, 12:36 p.m.: 26 IR 1564)*

**ARTICLE 2. ANIMAL TECHNICIANS' REGISTRATION (REPEALED)**

*(Repealed by Indiana Board of Veterinary Medical Examiners; filed Nov 14, 1985, 9:38 am: 9 IR 778)*

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## **IC 25-1-9**

### **Chapter 9. Health Professions Standards of Practice**

#### **IC 25-1-9-1 "Board" defined**

Sec. 1. As used in this chapter, "board" means any of the following:

- (1) Board of chiropractic examiners (IC 25-10-1).
- (2) State board of dentistry (IC 25-14-1).
- (3) Indiana state board of health facility administrators (IC 25-19-1).
- (4) Medical licensing board of Indiana (IC 25-22.5-2).
- (5) Indiana state board of nursing (IC 25-23-1).
- (6) Indiana optometry board (IC 25-24).
- (7) Indiana board of pharmacy (IC 25-26).
- (8) Board of podiatric medicine (IC 25-29-2-1).
- (9) Board of environmental health specialists (IC 25-32).
- (10) Speech-language pathology and audiology board (IC 25-35.6-2).
- (11) State psychology board (IC 25-33).
- (12) Indiana board of veterinary medical examiners (IC 15-5-1.1).
- (13) Indiana physical therapy committee (IC 25-27-1).
- (14) Respiratory care committee (IC 25-34.5).
- (15) Occupational therapy committee (IC 25-23.5).
- (16) Social worker, marriage and family therapist, and mental health counselor board (IC 25-23.6).
- (17) Physician assistant committee (IC 25-27.5).
- (18) Indiana athletic trainers board (IC 25-5.1-2-1).
- (19) Indiana dietitians certification board (IC 25-14.5-2-1).
- (20) Indiana hypnotist committee (IC 25-20.5-1-7).

*As added by P.L.152-1988, SEC.1. Amended by P.L.242-1989, SEC.7; P.L.238-1989, SEC.7; P.L.186-1990, SEC.7; P.L.48-1991, SEC.20; P.L.227-1993, SEC.7; P.L.33-1993, SEC.14; P.L.213-1993, SEC.4; P.L.1-1994, SEC.122; P.L.124-1994, SEC.6; P.L.175-1997, SEC.6; P.L.147-1997, SEC.10; P.L.84-1998, SEC.5; P.L.24-1999, SEC.6.*

#### **IC 25-1-9-2 "Practitioner" defined**

Sec. 2. As used in this chapter, "practitioner" means an individual who holds:

- (1) an unlimited license, certificate, or registration;
- (2) a limited or probationary license, certificate, or registration;
- (3) a temporary license, certificate, registration, or permit;
- (4) an intern permit; or
- (5) a provisional license;

issued by the board regulating the profession in question, including a certificate of registration issued under IC 25-20.

*As added by P.L.152-1988, SEC.1.*

#### **IC 25-1-9-3 "License" defined**

Sec. 3. As used in this chapter, "license" includes a license, certificate, registration, or permit.

*As added by P.L.152-1988, SEC.1.*

#### **IC 25-1-9-3.5 "Sexual contact" defined**

Sec. 3.5. As used in this chapter, "sexual contact" means:

- (1) sexual intercourse (as defined in IC 35-41-1-26);
- (2) deviate sexual conduct (as defined in IC 35-41-1-9); or
- (3) any fondling or touching intended to arouse or satisfy the sexual desires of either the individual performing the fondling or touching or the individual being fondled or touched.

*As added by P.L.200-2001, SEC.1.*

#### **IC 25-1-9-4 Standards of professional practice; findings required for sanctions; evidence of foreign discipline**

Sec. 4. (a) A practitioner shall conduct the practitioner's practice in accordance with the standards established by the board regulating the profession in question and is subject to the exercise of the disciplinary sanctions under section 9 of this chapter if, after a hearing, the board finds:

- (1) a practitioner has:

(A) engaged in or knowingly cooperated in fraud or material deception in order to obtain a license to

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practice;

- (B) engaged in fraud or material deception in the course of professional services or activities; or
  - (C) advertised services in a false or misleading manner;
  - (2) a practitioner has been convicted of a crime that has a direct bearing on the practitioner's ability to continue to practice competently;
  - (3) a practitioner has knowingly violated any state statute or rule, or federal statute or regulation, regulating the profession in question;
  - (4) a practitioner has continued to practice although the practitioner has become unfit to practice due to:
    - (A) professional incompetence that:
      - (i) may include the undertaking of professional activities that the practitioner is not qualified by training or experience to undertake; and
      - (ii) does not include activities performed under IC 16-21-2-9;
    - (B) failure to keep abreast of current professional theory or practice;
    - (C) physical or mental disability; or
    - (D) addiction to, abuse of, or severe dependency upon alcohol or other drugs that endanger the public by impairing a practitioner's ability to practice safely;
  - (5) a practitioner has engaged in a course of lewd or immoral conduct in connection with the delivery of services to the public;
  - (6) a practitioner has allowed the practitioner's name or a license issued under this chapter to be used in connection with an individual who renders services beyond the scope of that individual's training, experience, or competence;
  - (7) a practitioner has had disciplinary action taken against the practitioner or the practitioner's license to practice in any other state or jurisdiction on grounds similar to those under this chapter;
  - (8) a practitioner has diverted:
    - (A) a legend drug (as defined in IC 16-18-2-199); or
    - (B) any other drug or device issued under a drug order (as defined in IC 16-42-19-3) for another person;
  - (9) a practitioner, except as otherwise provided by law, has knowingly prescribed, sold, or administered any drug classified as a narcotic, addicting, or dangerous drug to a habitue or addict;
  - (10) a practitioner has failed to comply with an order imposing a sanction under section 9 of this chapter;
  - (11) a practitioner has engaged in sexual contact with a patient under the practitioner's care or has used the practitioner-patient relationship to solicit sexual contact with a patient under the practitioner's care; or
  - (12) a practitioner who is a participating provider of a health maintenance organization has knowingly collected or attempted to collect from a subscriber or enrollee of the health maintenance organization any sums that are owed by the health maintenance organization.
- (b) A practitioner who provides health care services to the practitioner's spouse is not subject to disciplinary action under subsection (a)(11).
  - (c) A certified copy of the record of disciplinary action is conclusive evidence of the other jurisdiction's disciplinary action under subsection (a)(7).
- As added by P.L.152-1988, SEC.1. Amended by P.L.2-1993, SEC.136; P.L.149-1997, SEC.7; P.L.22-1999, SEC.4; P.L.200-2001, SEC.2; P.L.203-2001, SEC.3; P.L.1-2002, SEC.96.*

#### **IC 25-1-9-5 Optometry employment practice**

Sec. 5. In addition to section 4 of this chapter, a practitioner licensed to practice optometry is subject to the exercise of disciplinary sanctions under section 9 of this chapter if, after a hearing, the board finds a practitioner has accepted employment to practice optometry from a person other than:

- (1) a corporation formed by an optometrist under IC 23-1.5; or
- (2) an individual who is licensed as an optometrist under this article and whose legal residence is in Indiana.

*As added by P.L.152-1988, SEC.1.*

#### **IC 25-1-9-6 Veterinary practitioners; cruelty to animals**

Sec. 6. In addition to section 4 of this chapter, a practitioner licensed to practice veterinary medicine or registered as a veterinary technician is subject to the exercise of the disciplinary sanctions under section 9 of this chapter if, after a hearing, the board finds a practitioner has engaged in cruelty to animals.

*As added by P.L.152-1988, SEC.1.*

#### **IC 25-1-9-6.5 Chiropractors; waiver of deductible or copayment**

Sec. 6.5. (a) In addition to section 4 of this chapter, a practitioner licensed to practice chiropractic is

subject to the exercise of the disciplinary sanctions under section 9 of this chapter if, after a hearing, the board regulating the profession finds a practitioner has:

(1) waived a payment of a deductible or a copayment required to be made to the practitioner by a patient under the patient's insurance or health care plan; and

(2) advertised the waiver of a payment described in subdivision (1).

(b) This section does not apply to the waiver of a deductible or a copayment by a practitioner if:

(1) the practitioner determines chiropractic service is necessary for the immediate health and welfare of a patient;

(2) the practitioner determines the payment of a deductible or a copayment would create a substantial financial hardship for the patient; and

(3) the waiver is based on the evaluation of the individual patient and is not a regular business practice of the practitioner.

*As added by P.L.151-1989, SEC.9.*

#### **IC 25-1-9-6.7 Marriage and family therapists; disciplinary sanctions**

Sec. 6.7. In addition to the actions listed under section 4 of this chapter that subject a practitioner to the exercise of disciplinary sanctions, a practitioner who is licensed under IC 25-23.6 is subject to the exercise of disciplinary sanctions under section 9 of this chapter if, after a hearing, the board regulating the profession finds that the practitioner has:

(1) performed any therapy that, by the prevailing standards of the mental health professions in the community where the services were provided, would constitute experimentation on human subjects, without first obtaining full, informed, and written consent;

(2) failed to meet the minimum standards of performance in professional activities when measured against generally prevailing peer performance in professional activities, including the undertaking of activities that the practitioner is not qualified by training or experience to undertake;

(3) performed services, including any duties required of the individual under IC 31, in reckless disregard of the best interests of a patient, a client, or the public;

(4) without the consent of the child's parent, guardian, or custodian, knowingly participated in the child's removal or precipitated others to remove a child from the child's home unless:

(A) the child's physical health was endangered due to injury as a result of the act or omission of the child's parent, guardian, or custodian;

(B) the child had been or was in danger of being a victim of an offense under IC 35-42-4, IC 35-45-4-1, IC 35-45-4-2, IC 35-46-1-3, IC 35-49-2-2, or IC 35-49-3-2; or

(C) the child was in danger of serious bodily harm as a result of the inability, refusal, or neglect of the child's parent, guardian, or custodian to supply the child with necessary food, shelter, or medical care, and a court order was first obtained;

(5) willfully made or filed a false report or record, failed to file a report or record required by law, willfully impeded or obstructed the filing of a report or record, or induced another individual to:

(A) make or file a false report or record; or

(B) impede or obstruct the filing of a report or record; or

(6) performed a diagnosis (as defined in IC 25-22.5-1-1.1(c));

(7) provided evidence in an administrative or judicial proceeding that had insufficient factual basis for the conclusions rendered by the practitioner;

(8) willfully planted in the mind of the patient suggestions that are not based in facts known to the practitioner; or

(9) performed services outside of the scope of practice of the license issued under IC 25-23.6.

*As added by P.L.147-1997, SEC.11. Amended by P.L.2-1998, SEC.65.*

#### **IC 25-1-9-6.8 Practitioner guidelines before prescribing stimulant medication for a child for treatment of certain disorders**

Sec. 6.8. (a) This section applies to a practitioner who is:

(1) licensed to practice medicine or osteopathic medicine under IC 25-22.5; or

(2) an advanced practice nurse granted prescriptive authority under IC 25-23, and whose practice agreement with a collaborating physician reflects the conditions specified in subsection (b).

(b) Before prescribing a stimulant medication for a child for the treatment of attention deficit disorder or attention deficit hyperactivity disorder, a practitioner described in subsection (a) shall follow the most recent guidelines adopted by the American Academy of Pediatrics or the American Academy of Child and Adolescent Psychiatry for the diagnosis and evaluation of a child with attention deficit disorder or attention deficit hyperactivity disorder.

*As added by P.L.107-2002, SEC.28.*

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**IC 25-1-9-6.9 Failing to provide or providing false information to agency**

Sec. 6.9. In addition to the actions listed under section 4 of this chapter that subject a practitioner to disciplinary sanctions, a practitioner is subject to the exercise of disciplinary sanctions under section 9 of this chapter if, after a hearing, the board finds that the practitioner has:

- (1) failed to provide information requested by the Indiana professional licensing agency; or
- (2) knowingly provided false information to the Indiana professional licensing agency;

for a provider profile required under IC 25-1-5-10.

*As added by P.L.211-2001, SEC.2. Amended by P.L.206-2005, SEC.14.*

**IC 25-1-9-7 Physical or mental examination; power to require**

Sec. 7. The board may order a practitioner to submit to a reasonable physical or mental examination, at the practitioner's own expense, if the practitioner's physical or mental capacity to practice safely is at issue in a disciplinary proceeding.

*As added by P.L.152-1988, SEC.1. Amended by P.L.158-2003, SEC.2.*

**IC 25-1-9-8 Failure to submit to physical or mental examination; sanctions**

Sec. 8. Failure to comply with a board order to submit to a physical or mental examination makes a practitioner liable to summary suspension under section 10 of this chapter.

*As added by P.L.152-1988, SEC.1.*

**IC 25-1-9-9 Disciplinary sanctions**

Sec. 9. (a) The board may impose any of the following sanctions, singly or in combination, if it finds that a practitioner is subject to disciplinary sanctions under section 4, 5, 6, 6.7, or 6.9 of this chapter or IC 25-1-5-4:

- (1) Permanently revoke a practitioner's license.
- (2) Suspend a practitioner's license.
- (3) Censure a practitioner.
- (4) Issue a letter of reprimand.
- (5) Place a practitioner on probation status and require the practitioner to:
  - (A) report regularly to the board upon the matters that are the basis of probation;
  - (B) limit practice to those areas prescribed by the board;
  - (C) continue or renew professional education under a preceptor, or as otherwise directed or

approved by the board, until a satisfactory degree of skill has been attained in those areas that are the basis of the probation; or

(D) perform or refrain from performing any acts, including community restitution or service without compensation, that the board considers appropriate to the public interest or to the rehabilitation or treatment of the practitioner.

(6) Assess a fine against the practitioner in an amount not to exceed one thousand dollars (\$1,000) for each violation listed in section 4 of this chapter, except for a finding of incompetency due to a physical or mental disability. When imposing a fine, the board shall consider a practitioner's ability to pay the amount assessed. If the practitioner fails to pay the fine within the time specified by the board, the board may suspend the practitioner's license without additional proceedings. However, a suspension may not be imposed if the sole basis for the suspension is the practitioner's inability to pay a fine.

(b) The board may withdraw or modify the probation under subsection (a)(5) if it finds, after a hearing, that the deficiency that required disciplinary action has been remedied, or that changed circumstances warrant a modification of the order.

*As added by P.L.152-1988, SEC.1. Amended by P.L.48-1991, SEC.21; P.L.22-1999, SEC.5; P.L.32-2000, SEC.10; P.L.211-2001, SEC.3.*

**IC 25-1-9-10 Summary license suspension pending final adjudication; notice; opportunity to be heard**

Sec. 10. (a) The board may summarily suspend a practitioner's license for ninety (90) days before a final adjudication or during the appeals process if the board finds that a practitioner represents a clear and immediate danger to the public health and safety if the practitioner is allowed to continue to practice. The summary suspension may be renewed upon a hearing before the board, and each renewal may be for ninety (90) days or less.

(b) Before the board may summarily suspend a license that has been issued under IC 15-5-1.1, IC 25-22.5 or IC 25-14, the consumer protection division of the attorney general's office shall make a reasonable attempt to notify a practitioner of a hearing by the board to suspend a practitioner's license and of information regarding the allegation against the practitioner. The consumer protection division of the attorney general's office shall also notify the practitioner that the practitioner may provide a written or an oral statement to the board on the practitioner's behalf before the board issues an order for summary

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suspension. A reasonable attempt to reach the practitioner is made if the consumer protection division of the attorney general's office attempts to reach the practitioner by telephone or facsimile at the last telephone number of the practitioner on file with the board.

(c) After a reasonable attempt is made to notify a practitioner under subsection (b):

(1) a court may not stay or vacate a summary suspension of a practitioner's license for the sole reason that the practitioner was not notified; and

(2) the practitioner may not petition the board for a delay of the summary suspension proceedings.

*As added by P.L. 152-1988, SEC. 1. Amended by P.L. 43-1995, SEC. 2; P.L. 71-2000, SEC. 18.*

#### **IC 25-1-9-10.1 Retention of clinical consultants and experts to advise on suspension**

Sec. 10.1. The attorney general may retain the services of a clinical consultant or an expert to provide the attorney general with advice concerning the acts that are the subject of a suspension under this chapter.

*As added by P.L. 43-1995, SEC. 3.*

#### **IC 25-1-9-11 Reinstatement of suspended licenses**

Sec. 11. The board may reinstate a license which has been suspended under this chapter if, after a hearing, the board is satisfied that the applicant is able to practice with reasonable skill and safety to the public. As a condition of reinstatement, the board may impose disciplinary or corrective measures authorized under this chapter.

*As added by P.L. 152-1988, SEC. 1.*

#### **IC 25-1-9-12 Reinstatement of revoked license**

Sec. 12. The board may not reinstate a license that has been revoked under this chapter. An individual whose license has been revoked under this chapter may not apply for a new license until seven (7) years after the date of revocation.

*As added by P.L. 152-1988, SEC. 1.*

#### **IC 25-1-9-13 Consistency of sanctions prescribed**

Sec. 13. The board shall seek to achieve consistency in the application of the sanctions authorized in this section. Significant departures from prior decisions involving similar conduct must be explained in the board's findings or orders.

*As added by P.L. 152-1988, SEC. 1.*

#### **IC 25-1-9-14 Surrender of practitioners license instead of hearing; approval**

Sec. 14. A practitioner may petition the board to accept the surrender of the practitioner's license instead of a hearing before the board. The practitioner may not surrender the practitioner's license without the written approval of the board, and the board may impose any conditions appropriate to the surrender or reinstatement of a surrendered license.

*As added by P.L. 152-1988, SEC. 1.*

#### **IC 25-1-9-15 Costs in disciplinary proceedings**

Sec. 15. Practitioners who have been subjected to disciplinary sanctions may be required by a board to pay for the costs of the proceeding. The practitioner's ability to pay shall be considered when costs are assessed. If the practitioner fails to pay the costs, a suspension may not be imposed solely upon the practitioner's inability to pay the amount assessed. These costs are limited to costs for the following:

- (1) Court reporters.
- (2) Transcripts.
- (3) Certification of documents.
- (4) Photoduplication.
- (5) Witness attendance and mileage fees.
- (6) Postage.
- (7) Expert witnesses.
- (8) Depositions.
- (9) Notarizations.
- (10) Administrative law judges.

*As added by P.L. 152-1988, SEC. 1. Amended by P.L. 158-2003, SEC. 3.*

#### **IC 25-1-9-16 Refusal of licensure or grant of probationary license**

Sec. 16. (a) The board may refuse to issue a license or may issue a probationary license to an applicant for licensure if:

(1) the applicant has been disciplined by a licensing entity of another state or jurisdiction, or has committed an act that would have subjected the applicant to the disciplinary process had the applicant been licensed in Indiana when the act occurred; and

(2) the violation for which the applicant was, or could have been, disciplined has a direct bearing on the applicant's ability to competently practice in Indiana.

(b) Whenever the board issues a probationary license, the board may impose one (1) or more of the following conditions:

(1) Report regularly to the board upon the matters that are the basis of the discipline of the other state or jurisdiction.

(2) Limit practice to those areas prescribed by the board.

(3) Continue or renew professional education.

(4) Engage in community restitution or service without compensation for a number of hours specified by the board.

(5) Perform or refrain from performing an act that the board considers appropriate to the public interest or to the rehabilitation or treatment of the applicant.

(c) The board shall remove any limitations placed on a probationary license under this section if the board finds after a hearing that the deficiency that required disciplinary action has been remedied.

*As added by P.L.33-1993, SEC.15. Amended by P.L.32-2000, SEC.11.*

#### **IC 25-1-9-17 Applicant appearance before board or controlled substances advisory committee**

Sec. 17. The board and the controlled substances advisory committee (IC 35-48-2-1) may require an applicant for licensure to appear before the board or committee before issuing a license.

*As added by P.L.33-1993, SEC.16.*

#### **IC 25-1-9-18 Fitness determination of health care provider; filing complaint**

Sec. 18. (a) If the insurance commissioner forwards to the board the name of a practitioner under IC 34-18-9-4(a) (or IC 27-12-9-4(a) before its repeal), the board shall consider whether:

(1) the practitioner has become unfit to practice under section 4 of this chapter; and

(2) a complaint should be filed under IC 25-1-7-4.

(b) If the board determines that a complaint should be filed under subsection (a), the board must report to the consumer protection division whether the board will schedule the matter:

(1) for informal negotiation under IC 25-1-7-6;

(2) on the board's agenda for a vote requesting that the attorney general prosecute the matter before the board under IC 25-1-7-7; or

(3) on the board's agenda for a vote on summary suspension of the practitioner's license pending prosecution of the matter before the board under IC 25-1-7-7.

(c) A board may designate a board member or staff member to act on behalf of the board under this section.

*As added by P.L.43-1995, SEC.4. Amended by P.L.1-1998, SEC.131.*

#### **IC 25-1-9-19 Third party billing notice**

Sec. 19. A practitioner that provides to a patient notice concerning a third party billing for a health care service provided to the patient shall ensure that the notice:

(1) conspicuously states that the notice is not a bill;

(2) does not include a tear-off portion; and

(3) is not accompanied by a return mailing envelope.

*As added by P.L.178-2003, SEC.12.*

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**IC 33-28-4-8  
Veterinarians  
Excused from Jury Duty**

**IC 33-28-4-8 Excused from jury service; disqualification from service; restoration of right to serve on jury; restoration of right to possess firearm**

**Sec. 8. (a) A person shall be excused from acting as a juror if the person:**

- (1) is at least sixty-five (65) years of age;
  - (2) is a member in active service of the armed forces of the United States;
  - (3) is an elected or appointed official of the executive, legislative, or judicial branches of government of:
    - (A) the United States;
    - (B) Indiana; or
    - (C) a unit of local government;who is actively engaged in the performance of the person's official duties;
  - (4) is a member of the general assembly who makes the request to be excused before being sworn as a juror;
  - (5) is an honorary military staff officer appointed by the governor under IC 10-16-2-5;
  - (6) is an officer or enlisted person of the guard reserve forces authorized by the governor under IC 10-16-8;
  - (7) is a veterinarian licensed under IC 15-5-1.1;**
  - (8) is serving as a member of the board of school commissioners of the city of Indianapolis under IC 20-25-3-3;
  - (9) is a dentist licensed under IC 25-14-1;
  - (10) is a member of a police or fire department or company under IC 36-8-3 or IC 36-8-12; or
  - (11) would serve as a juror during a criminal trial and the person is:
    - (A) an employee of the department of correction whose duties require contact with inmates confined in a department of correction facility; or
    - (B) the spouse or child of a person described in clause (A);and desires to be excused for that reason.
- (b) A prospective juror is disqualified to serve on a jury if any of the following conditions exist:
- (1) The person is not a citizen of the United States, at least eighteen (18) years of age, and a resident of the county.
  - (2) The person is unable to read, speak, and understand the English language with a degree of proficiency sufficient to fill out satisfactorily a juror qualification form.
  - (3) The person is incapable of rendering satisfactory jury service due to physical or mental disability. However, a person claiming this disqualification may be required to submit a physician's or authorized Christian Science practitioner's certificate confirming the disability, and the certifying physician or practitioner is then subject to inquiry by the court at the court's discretion.
  - (4) The person is under a sentence imposed for an offense.
  - (5) A guardian has been appointed for the person under IC 29-3 because the person has a mental incapacity.
  - (6) The person has had rights revoked by reason of a felony conviction and the rights have not been restored.
- (c) A person may not serve as a petit juror in any county if the person served as a petit juror in the same county within the previous three hundred sixty-five (365) days. The fact that a person's selection as a juror would violate this subsection is sufficient cause for challenge.
- (d) A grand jury, a petit jury, or an individual juror drawn for service in one (1) court may serve in another court of the county, in accordance with orders entered on the record in each of the courts.
- (e) The same petit jurors may be used in civil cases and in criminal cases.
- (f) A person may not be excluded from jury service on account of race, color, religion, sex, national origin, or economic status.
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(g) Notwithstanding IC 35-47-2, IC 35-47-2.5, or the restoration of the right to serve on a jury under this section and except as provided in subsections (h), (i), and (l), a person who has been convicted of a crime of domestic violence (as defined in IC 35-41-1-6.3) may not possess a firearm:

(1) after the person is no longer under a sentence imposed for an offense; or

(2) after the person has had the person's rights restored following a conviction.

(h) Not earlier than five (5) years after the date of conviction, a person who has been convicted of a crime of domestic violence (as defined in IC 35-41-1-6.3) may petition the court for restoration of the person's right to possess a firearm. In determining whether to restore the person's right to possess a firearm, the court shall consider the following factors:

(1) Whether the person has been subject to:

(A) a protective order;

(B) a no contact order;

(C) a workplace violence restraining order; or

(D) any other court order that prohibits the person from possessing a firearm.

(2) Whether the person has successfully completed a substance abuse program, if applicable.

(3) Whether the person has successfully completed a parenting class, if applicable.

(4) Whether the person still presents a threat to the victim of the crime.

(5) Whether there is any other reason why the person should not possess a firearm, including whether the person failed to complete a specified condition under subsection (i) or whether the person has committed a subsequent offense.

(i) The court may condition the restoration of a person's right to possess a firearm upon the person's completion of specified conditions.

(j) If the court denies a petition for restoration of the right to possess a firearm, the person may not file a second or subsequent petition until one (1) year has elapsed.

(k) A person has not been convicted of a crime of domestic violence for purposes of subsection

(h) if the conviction has been expunged or if the person has been pardoned.

(l) The right to possess a firearm shall be restored to a person whose conviction is reversed on appeal or on post-conviction review at the earlier of the following:

(1) At the time the prosecuting attorney states on the record that the charges that gave rise to the conviction will not be refiled.

(2) Ninety (90) days after the final disposition of the appeal or the post-conviction proceeding.

*As added by P.L.98-2004, SEC.7. Amended by P.L.1-2005, SEC.216.*

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